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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/086,598	02/28/2002	Dale R. Langner	1528.025US1	1965

7590 11/13/2003

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EXAMINER

SWARTHOUT, BRENT

ART UNIT	PAPER NUMBER
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2636

DATE MAILED: 11/13/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/086,598

Applicant(s)

LANGNER ET AL.

Examiner

Brent A Swarthout

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 August 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

1. The disclosure is objected to because of the following informalities: Proposed amendment to page 1 of the specification filed 8-11-03 has not been entered, since the blank line sections to be deleted should have been placed in double brackets, not crossed through.

Appropriate correction is required.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

a. Claims 1-13, 21, and 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Snyder in view of Oder et al. and Curtis et al.

Snyder discloses a cockpit display with first upper horizontal region including navigation and communication settings, as well as autopilot and additional settings and graphical data, except for specifically stating that the region surrounding the display is a bezel with transponder control.

Oder teaches the desirability of placing entry function keys around the bezel of an aircraft display (Fig. 2).

Curtis teaches desirability of including communication, navigation and transponder control means on a bezel type structure (fig. 2).

It would have been obvious to place a bezel including navigation, communication and transponder control elements around a display as disclosed by Snyder, in order to allow a user to have certain fixed function

elements whose position did not change, to give a consistent functional element operation panel, so an operator would always know where a function element was.

Regarding claim 11, choosing different colors for settings would have been obvious, to allow particular settings to be more easily recognized at a glance.

3. Claims 14, 16-20 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Snyder in view of Briffe et al. (141).

Briffe teaches desirability in a cockpit of having two like displays adjacent for the pilot and copilot (Fig. 1), Briffe allowing some user control to change the displays to suit the needs of the user.

It would have been obvious to use plural displays as taught by Briffe while showing the particular display elements taught by Snyder, in order that each pilot would have had access to a display, and redundancy in case of failure of a display.

4. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Snyder in view of Briffe et al. (141) and Oder et al.

It would have been obvious to include a bezel with controls in conjunction with a display device as disclosed by Snyder and Briffe, for the same reasons as set forth previously with regard to claims 1-13.

5. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Snyder in view of Oder et al., Curtis et al. and Devino .

Devino teaches desirability of a cockpit display housing to have flight sensors on the rear side of the display and bezel (Fig. 1).

It would have been obvious to have sensors included on the back side of a display, in order to allow the unit to be installed more easily, and permit the display to function even if primary sensors were defective.

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brent A Swarthout whose telephone number is 703-305-4383. The examiner can normally be reached on M-F from 6:30 to 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Hofsass, can be reached on (703) 305-4717. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.



Brent A Swarthout
Examiner
Art Unit 2636

**BRENT A. SWARTHOUT
PRIMARY EXAMINER**